

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

FILED BY wh D.C.
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THOMAS M. GOULD
CLERK, U.S. DISTRICT COURT
W/D OF TN MEMPHIS

KAY SWEENEY,

Plaintiff,

vs.

RIVER WAFFLES, LLC, et al.,

Defendant.

Civ. No. 04-2561-P

AMENDED SCHEDULING ORDER

Pursuant to written notice, a telephonic status conference was held September 15, 2005. Counsel for both sides were present and heard. The scheduling order is amended as follows:

INITIAL DISCLOSURES PURSUANT TO Fed.R.Civ.P. 26(a)(1):
Completed

JOINING PARTIES: Completed

AMENDING PLEADINGS: September 30, 2005

INITIAL MOTIONS TO DISMISS: None

COMPLETING ALL DISCOVERY: January 16, 2006

(a) DOCUMENT PRODUCTION: January 16, 2006

(b) DEPOSITIONS, INTERROGATORIES AND REQUESTS FOR
ADMISSIONS: January 16, 2006

63

(c) EXPERT WITNESS DISCLOSURE (Rule 26):

- (1) DISCLOSURE OF PLAINTIFF'S RULE 26 EXPERT INFORMATION:** November 15, 2005
- (2) DISCLOSURE OF DEFENDANT'S RULE 26 EXPERT INFORMATION:** December 15, 2005
- (3) WITNESS DEPOSITIONS:** January 16, 2006

FILING DISPOSITIVE MOTIONS: February 16, 2006

OTHER RELEVANT MATTERS:

No depositions may be scheduled to occur after the discovery cutoff date. All motions, requests for admissions, or other filings that require a response must be filed sufficiently in advance of the discovery cutoff date to enable opposing counsel to respond by the time permitted by the Rules prior to that date.

Motions to compel discovery are to be filed and served by the discovery deadline or within 30 days of the default or the service of the response, answer, or objection, which is the subject of the motion, if the default occurs within 30 days of the discovery deadline, unless the time for filing of such motion is extended for good cause shown, or the objection to the default, response, answer, or objection shall be waived.

This case is set for a non-jury trial July 11, 2006, at 10:00 a.m. The pretrial order is due June 19, 2006 by 4:30 p.m. and the Pretrial Conference is set for June 26, 2006 at 9:30 a.m. It is anticipated that the trial will last approximately two (2) days.

This case is appropriate for ADR. The parties are directed to engage in court-annexed attorney mediation or private mediation before the close of discovery.

The parties are reminded that pursuant to Local Rule 11(a)(1)(A), all motions, except motions pursuant to Fed. R. Civ. P. 12, 56, 59, and 60 shall be accompanied by a proposed order.

The opposing party may file a response to any motion filed in this matter. Neither party may file an additional reply, however, without leave of the court. If a party believes that a reply is necessary, it shall file a motion for leave to file a reply accompanied by a memorandum setting forth the reasons for which a reply is required.

The parties have consented to trial before the magistrate judge.

This order has been entered after consultation with trial counsel pursuant to notice. Absent good cause shown, the scheduling dates set by this order will not be modified or extended.

IT IS SO ORDERED.



TU M. PHAM

United States Magistrate Judge

September 15, 2005

Date



Notice of Distribution

This notice confirms a copy of the document docketed as number 63 in case 2:04-CV-02561 was distributed by fax, mail, or direct printing on September 16, 2005 to the parties listed.

Joe E. Manuel
LAW OFFICE OF JOE MANUEL
147 N. Market St.
Ste. C
Chattanooga, TN 37405

J. Page Garrett
J. PAGE GARRETT
5133 Harding Rd.
Ste. 112
Nashville, TN 37205

Honorable Tu Pham
US DISTRICT COURT